

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEAN FRANCIS ASPINWALL,
Petitioner,
v.
PEOPLE OF THE STATE OF
CALIFORNIA,
Respondent.

Case No. 14-cv-03898-HSG (PR)

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**


On August 28, 2014, petitioner, proceeding *pro se*, filed the instant federal writ of habeas corpus, pursuant to 28 U.S.C. § 2254. On February 10, 2015, mail sent to petitioner by the court was returned to the Clerk of the Court with a notation that petitioner had been paroled. *See* Docket No. 7. As of the date of this order, petitioner has not updated his address with the Court or submitted any further pleadings in this case.

Pursuant to Northern District Local Rule 3-11, a party proceeding *pro se* whose address changes while an action is pending must promptly file a notice of change of address specifying the new address. *See* L.R. 3-11(a). The court may, without prejudice, dismiss a complaint when: (1) mail directed to the *pro se* party by the court has been returned to the court as not deliverable, and (2) the court fails to receive within sixty days of this return a written communication from the *pro se* party indicating a current address. *See* L.R. 3-11(b).

More than sixty days have passed since the mail directed to petitioner by the Court was returned as undeliverable. The court has not received a notice from petitioner of a new address. Accordingly, the instant habeas action is DISMISSED without prejudice pursuant to Rule 3-11 of the Northern District Local Rules. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: 4/20/2015


HAYWOOD S. GILLIAM, JR.
United States District Judge